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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,072	03/31/2004	Serge Lamoureux	16482-1 US GH/mb	4651
20988	7590	03/22/2006	EXAMINER	
OGILVY RENAULT LLP 1981 MCGILL COLLEGE AVENUE SUITE 1600 MONTREAL, QC H3A2Y3 CANADA			VASUDEVA, AJAY	
			ART UNIT	PAPER NUMBER
			3617	
DATE MAILED: 03/22/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/813,072

Applicant(s)

LAMOUREUX ET AL.

Examiner

Ajay Vasudeva

Art Unit

3617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 and 10-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 10-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. ____   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____  | 6) <input type="checkbox"/> Other: ____                                     |

## DETAILED ACTION

### *New Rejection*

1. Upon further reconsideration, the allowability of previously allowed claims is withdrawn for a Non-Final rejection based on new grounds. The finality of last Office action has been withdrawn. Examiner regrets the inconvenience to the applicant and his representative.

### *Specification*

2. The Specification is objected to because of the following informalities:
- On page 1, paragraph 0003, line 1, after “drive-on dry”, change “**docs**” to – **docks** --.
  - On page 2, paragraph 0007, line 5, after “with a”, change “**slope**” to – **sloped** --.
  - On page 3, paragraph 0010, line 12, after “drive-on dry”, change “**position**” to – **positioned** --.

### *Claim Objections*

3. Claim 16 is objected to because of the following informalities:
- On line 14, after “insert having a threaded nut”, change “**and**” to – **with** --.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-6 and 10-27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- In claims 1, 4, 16 and 19, use of “trough-like” (emphasis added) makes the claims indefinite. It is not clear whether such limitation is intended to mean that the surface is shaped like a trough, or if the surface possesses any other characteristic associated with a trough.

If the limitation has been used to convey that the surface is shaped like a trough, changing the limitation “trough like” to “trough shaped” is recommended. Similar change is recommended in the abstract, and in at least one instance in the Specification, to provide proper antecedent basis in the Specification.

- In claim 11 (line 4), use of the limitation “a flange connector” makes the claim indefinite because it is not clear if it is same or different from “a connector” recited earlier in the preceding claim 1.

- In claim 16 (line 14), use of the limitation “a threaded connector insert” makes the claim indefinite because it is not clear if it is same or different from the “fastening means” recited earlier on line 10 of the claim.

- In claim 16 (line 16), the limitation “said connecting through bore” (emphasis added) lacks proper antecedent basis in the claim.

- In claim 23 (line 4), use of the limitation “a flange connector” makes the claim indefinite because it is not clear if it is same or different from “a connector” recited earlier in the preceding claim 16.

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***Response to Arguments***

6. Applicant's arguments with respect to claims 1-6 and 10-27 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

7. This is a Non-Final rejection.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ajay Vasudeva whose telephone number is (571) 272-6689. The examiner can normally be reached on Monday-Friday 12:00 -- 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, S. Joe Morano can be reached on (571) 272-6684.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AV

Ajay Vasudeva  
Examiner  
Art Unit 3617

*Ajay Vasudeva*  
AJAY VASUDEVA 2/18/06  
PATENT EXAMINER